



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

J. Nevin Shaffer, Jr.  
Suite 43  
913 Gulf Breeze Parkway  
Gulf Breeze, FL 32561

**COPY MAILED**

**JAN 04 2007**

**OFFICE OF PETITIONS**

In re Application of Wolfe et al.	:	
Application No. 10/706,410	:	Decision on Petition
Filing Date: November 12, 2003	:	
Atty. Docket No. Triple Crown 102-1189	:	

This is a decision on the petition under 37 CFR 1.181, filed October 16, 2006, to withdraw the holding of abandonment.

The petition is **granted**.

Facts:

A final Office action was mailed July 5, 2005.

The final Office action set a shortened statutory period for reply of three (3) months.

A reply was filed September 6, 2005.

An Advisory Action was mailed September 25, 2005.

A Notice of Abandonment was mailed April 6, 2006.

Petitioner contends a RCE and request for a one-month extension of time were filed October 18, 2005.

Discussion:

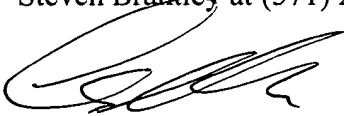
Petitioner has supplied a copy of the RCE and request for a one-month extension of time. The papers bear a proper certificate of transmission in compliance with the requirements of 37 C.F.R. 1.8(a). The petition complies with the requirements set forth in 37 CFR 1.8(b). In view thereof the RCE and request for extension of time are considered timely filed.

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The RCE fee of \$395 and the extension of time fee of \$60 have been charged to petitioner's deposit account.

Technology Center Art Unit 3644 will be informed of the instant decision. Thereafter, the Technology Center will enter the RCE and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. Brantley', with a stylized, cursive script.

Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions